

UNITED STATES OF AMERICA  
DISTRICT OF MASSACHUSETTS

|                          |   |                           |
|--------------------------|---|---------------------------|
| UNITED STATES OF AMERICA | ) |                           |
|                          | ) |                           |
| vs.                      | ) | CRIMINAL NO.: 04-1674-CBS |
|                          | ) |                           |
|                          | ) |                           |
| PHAYKHAM PHRACHANHSIRI   | ) |                           |

**MOTION TO CONTINUE**

Now comes the defendant in the above matter and respectfully moves this Honorable Court to continue the Identity/Detention hearing scheduled for April 23, 2004 to a date in approximately 3 weeks, or during the week of May 10.

As grounds, counsel for the defendant says that he is still in the process of determining whether the defendant will contest his identity and detention or whether he will enter into an agreement to change his plea in this jurisdiction. The defendant is in custody and assents to this request for further time to consider his alternatives.

Counsel does not expect to request any further continuation of this matter.

The Government has assented to this Motion.

Respectfully Submitted,  
PHAYKHAM PHRACHANHSIRI,  
By His Attorney,

/s/ Peter L. Ettenberg  
Peter L. Ettenberg, Esquire  
GOULD & ETTENBERG, P.C.  
370 Main Street  
Worcester, MA 01608  
(508) 752-6733  
BBO #156520

**CERTIFICATE OF SERVICE**

I, Peter L. Ettenberg, hereby certify that I have served the within Motion by facsimile/electronically and regular mail, of a copy thereof to all counsel of record.

Dated: April 21, 2004

/s/ Peter L. Ettenberg  
Peter L. Ettenberg